

1 QUIN DENVER, Bar #049374
2 Federal Defender
3 ERIC V. KERSTEN, Bar #226429
4 Assistant Federal Defender
5 Designated Counsel for Service
6 2300 Tulare Street, Suite 330
Fresno, California 93721-2226
Telephone: (559) 487-5561

7 Attorney for Defendant
8 MICHAEL ANDREW GILL

9
10
11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE EASTERN DISTRICT OF CALIFORNIA

13
14
15
16
17 UNITED STATES OF AMERICA,) NO. 1:97-Mj-02292
18 Plaintiff,) STIPULATION TO VACATE VIOLATION
19 v.) HEARING AND SCHEDULE STATUS
20 MICHAEL ANDREW GILL,) CONFERENCE AND ORDER THEREON
21 Defendant.) Date: May 18, 2005
22) Time: 10:30 a.m.
23) Judge: To Be Determined
24
25)
26

27 IT IS HEREBY STIPULATED by and between the parties hereto through their respective
28 counsel, STANLEY A. BOONE , Assistant United States Attorney, Counsel for Plaintiff, and ERIC V.
KERSTEN, Assistant Federal Defender, Counsel for Defendant Michael Andrew Gill, that the violation
hearing scheduled for May 3, 2005 may be vacated and a status conference may be scheduled for
May 18, 2005. **The date presently set for violation hearing is May 2, 2005. The requested date for
status conference is May 18, 2005, at 10:30 a.m.**

This request is made for the reason that Mr. Gill, who resides in the state of Tennessee, is
suffering health problems which may limit his ability to travel and prevent him from appearing in
California on the currently scheduled violation hearing date. It is requested that a status conference be
set for the scheduling of a new violation hearing date at a time Mr. Gill' s physical problems are more
clearly determined.

29 ///

The parties agree that the delay resulting from the continuance shall be excluded in the interests of justice, including but not limited to, the need for the period of time set forth herein for effective defense preparation pursuant to 18 U.S.C. § 3161(h)(8)(B)(iv).

McGREGOR W. SCOTT
United States Attorney

AUSA Gappa has approved of his electronic signature being placed here

DATED: April 22, 2005

By /s/ David A. Gappa
DAVID A. GAPPA

DATED: April 22, 2005

QUIN DENVIR
Federal Public Defender

By /s/ Eric V. Kersten
ERIC V. KERSTEN
Assistant Federal Defender
Attorney for Defendant
Michael Andrew Gill

The intervening period of delay is excluded in the interests of justice pursuant to 18 U.S.C. § 3161(h)(8)(B)(iv).

IT IS SO ORDERED.

Dated: May 2, 2005
b9ed48

/s/ Lawrence J. O'Neill
UNITED STATES MAGISTRATE JUDGE